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DE RUEHKA #0051/01 0141051
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FM AMEMBASSY DHAKA
TO RUEHC/SECSTATE WASHDC PRIORITY 9893
INFO RUCNCLS/ALL SOUTH AND CENTRAL ASIA COLLECTIVE PRIORITY
RUEHBK/AMEMBASSY BANGKOK PRIORITY 8635
RUEHGO/AMEMBASSY RANGOON PRIORITY 2977
RHHMUNA/USCINCPAC HONOLULU HI PRIORITY
RUEHGV/USMISSION GENEVA PRIORITY 0725

C O N F I D E N T I A L SECTION 01 OF 02 DHAKA 000051

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PRM FOR HOA TRAN

E.O. 12958: DECL: 01/13/2020

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SUBJECT: NO CHANGE IN PLANS: BILATERAL TALKS BETWEEN
BANGLADESH AND BURMA YIELD LITTLE SUBSTANCE ON REFUGEES

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Classified By: Ambassador James F. Moriarty. Reasons 1.4(b) and (d).

Summary

1. (C) During Foreign Secretary-level talks in Dhaka, the Government of Burma agreed in principle to the voluntary return as soon as possible, of over 6,300 registered Rohingya refugees the Government of Bangladesh (GOB) considers Burmese citizens. The individuals targeted for repatriation were part of a larger list of approximately 23,000 Rohingya identified by the GOB, which expects to submit the names of another 5,000 registered refugees residing in the official camps. However, neither government set a timeline nor took any formal steps to complete the repatriation during the discussions, which covered a range of issues including maritime delimitation, cross border trade and energy issues. The GOB has since clarified that any future repatriation would be completely voluntary.

Unwanted Population

2. (C) The Government of Burma does not recognize the Rohingya as one of the ethnic groups of Burma, and in a recent interview in the local media, the Burmese Ambassador referred to them as Bengali Muslims. The GOB however regards them as Burmese and seeks the eventual repatriation of the 28,000 registered refugees as well as the 200,000 - 500,000 unregistered Rohingya residing in the villages of southeast Bangladesh. According to the SAARC Director in the Ministry of Foreign Affairs, Bangladesh Foreign Minister Dipu Moni made the request for repatriation during a visit to Burma in May 2009.

Disputed Head Count

3. (C) The Foreign Ministry subsequently asked the UN High Commissioner for Refugees (UNHCR) and the Ministry of Food and Disaster Management, the lead Ministry on refugee affairs, for names of Rohingya refugees. The Foreign Ministry received a list of 23,000 individuals which it provided to the Government of Burma. These individuals were almost entirely Rohingya registered with the UNHCR living in one of the official camps. From this list, the Government of Burma verified that approximately 6,300 were Burmese nationals. (Note: Media accounts erroneously placed this figure at 9,000. End note.) The SAARC Director noted that the GOB expected an additional 5,000 names once the remaining names of registered refugees were provided by UNHCR. UNHCR

disputed this account, stating that GOB,s list of names was outdated and should not serve as the basis for repatriation. The Acting UNHCR Country Representative added that UNHCR provides the GOB a list of registered refugees every six months as part its mandate and that the outdated GOB lists did not include current information.

Few Details...But No Forced Repatriation

¶4. (C) The SAARC Director acknowledged that the GOB and Burma have not put into place any formal mechanisms to follow up on their agreement in principle on the Rohingya, nor have they set any timetable by which the refugees would be repatriated. The refugee issue was one of roughly 25-30 issues on the table between the two countries, including maritime delimitation; import of rice, other commodities and energy from Burma; systems for facilitating cross border trade; and border security. The Foreign Ministry official reiterated however, that any repatriation would be completely voluntary and that one of the prerequisites for a return to Burma would be improved conditions in Northern Rakhine state.

Anxiety in the Camps

¶5. (C) According to the UNHCR and other NGOs working in the Cox,s Bazar area of Bangladesh, news accounts of an alleged agreement in favor of repatriation caused considerable anxiety amongst the refugee population. In the aftermath, the Minister for Food and Disaster Management visited the camps where he reassured the refugees that there would be no forced repatriation. Separately, UNHCR reports that they have received no word of any agreement either locally or from their offices in Burma. (Note: In the past,

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there have been allegations of forced repatriation of Rohingya from Bangladesh to Burma. End note.)

Maritime Delimitation

¶6. (C) On the issue of maritime delimitation the SAARC Director confirmed that Bangladesh and Burma have not yet reached any agreement but would continue discussions in Burma, in April. Following talks in Chittagong in January on the matter, the Government of Burma said it would be ready to accept maritime demarcation based on a combination of the equidistance principle and an equitable solution basis. (Note: The Burmese had wanted to divide the maritime boundary based equidistance, using a median line, whereas the GOB wanted it to be based on the length of the country,s coastline. The GOB argued that to do otherwise would cut off its access to the deep sea. End Note.)

Comment

¶7. (C) Given the circumstances surrounding GOB-Burma discussions of the refugee issue and the lack of any meaningful follow up, an agreement on voluntary repatriation of Rohingya to Burma appears far off. Nevertheless, pushing this issue appeals to public opinion in Bangladesh, where anti-Rohingya sentiment is on the rise in areas where they are heavily concentrated. Burma,s decision in principle to accept Rohingya is a small step forward. However, Burma,s failure to acknowledge the community as one of Burma,s ethnic groups and statements by the Burmese Ambassador to Dhaka suggesting that they are Bengali Muslims remain deeply troubling. Post will continue to urge the GOB to engage in a constructive dialogue with all parties concerned and to adhere to accepted principles of international humanitarian law.

MORIARTY